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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA
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7 MAURICE P. OLIVIER,
8 Plaintiff,
9 v.
10 SCOTT KERNAN,
11 Defendant.

Case No. [17-cv-04953-PJH](#)

ORDER OF DISMISSAL

Re: Dkt. No. 5

12 This case was opened when plaintiff wrote a letter to the court regarding prison
13 conditions. In an effort to protect his rights, it was filed as a new case. Plaintiff was
14 informed that he had not filed a complaint and was given twenty-eight days to do so. He
15 also was sent a notice that he had not paid the filing fee or applied for leave to proceed in
16 forma pauperis ("IFP"); again, he was allowed twenty-eight days to either pay the fee or
17 file the application. A copy of the court's form for applications to proceed IFP was
18 provided with the notice, along with a return envelope.

19 The twenty-eight days has passed and plaintiff has filed a complaint but he has not
20 paid the filing fee or filed an IFP application. This case is therefore **DISMISSED** without
21 prejudice. The motion to relate the case (Docket No. 5) is **DENIED** as moot. The clerk
22 shall close the file.

23 **IT IS SO ORDERED.**

24 Dated: October 5, 2017

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27 PHYLLIS J. HAMILTON
United States District Judge

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4 MAURICE P. OLIVIER,
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CERTIFICATE OF SERVICE

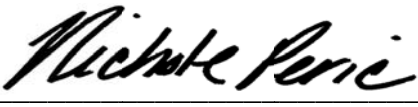
10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk,
11 U.S. District Court, Northern District of California.

12 That on October 6, 2017, I SERVED a true and correct copy(ies) of the attached,
13 by placing said copy(ies) in a postage paid envelope addressed to the person(s)
14 hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said
15 copy(ies) into an inter-office delivery receptacle located in the Clerk's office.
16

17 Maurice P. Olivier ID: F83603
18 Valley State Prison
19 21633 Avenue 24
20 Chowchilla, CA 93610

21 Dated: October 6, 2017

22
23 Susan Y. Soong
24 Clerk, United States District Court

25 By: 
26 Nichole Peric, Deputy Clerk to the
27 Honorable PHYLLIS J. HAMILTON
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